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11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 CORNELIUS CLARK, CHESTER LEWIS,
16 JOHN PONDS, AND GARRANT COSEY, on
behalf of themselves and all other persons
17 similarly situated,

18 Plaintiffs,

19 vs.

20 ANNA'S LINENS, INC.,

21 Defendant.
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CLASS ACTION

Case No. C05-02670-MMC

**STIPULATION AND ORDER REGARDING
EXTENSION OF CLASS CERTIFICATION
DISCOVERY, BRIEFING SCHEDULES
AND STATUS CONFERENCE**

Hon. Maxine M. Chesney

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STIPULATION

Plaintiffs Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey ("Plaintiffs") and Defendant Anna's Linens, Inc. ("Anna's Linens") by and through their counsel of record agree that the previous deadlines approved by this Court should be revised as set forth below, due to the recent hospitalization and unavailability of Counsel for Anna's Linens. The parties also agree that the Status Conference previously scheduled by the Court for November 3, 2006, should be taken off the Court's calendar and rescheduled for a date after the Court rules on Plaintiffs' Motion for Class Certification which under the revised schedule proposed by this Stipulation will be heard on or after April 26, 2007. The Parties, hereby stipulate and respectfully request that the Court modify, approve, and adopt the Class Certification Discovery and Briefing Schedules and Status Conference as follows:

Non-Expert Discovery Schedule

Complete non-expert interrogatories and document discovery by	2/1/07
Complete non-expert depositions (<i>e.g.</i> , Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	2/1/07

Expert Discovery and Reports

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/31/06
Plaintiffs' expert(s) to be made available for deposition by	12/14/06
Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	1/11/07
Defendants' expert(s) to be made available for deposition by	1/25/07
Plaintiffs to serve rebuttal expert reports by	2/8/07
Defendant to serve supplemental expert reports by	2/22/07
Expert discovery cut-off	2/22/07

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Class Certification Briefing Schedule

Motion for Class Certification to be filed by	3/1/07
Defendants' Opposition to Class Certification to be filed by	3/29/07
Plaintiffs' Reply to be filed by	4/12/07
Hearing on Motion for Class Certification (on or after)	4/26/07

Status Conference

To be determined by the Court

SO STIPULATED.

Dated: October 17, 2006

Respectfully submitted,

/S/

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1 Dated: October 17, 2006

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ORDER

The Court has considered the above Stipulation, and good cause appearing therefor, the Court modifies, approves, and hereby ORDERS the following schedule and deadlines for class certification discovery and briefing, and the status conference.

Non-Expert Discovery Schedule

Complete non-expert interrogatories and document discovery by	2/1/07
Complete non-expert depositions (<i>e.g.</i> , Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	2/1/07

Expert Discovery and Reports

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/31/06
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Class Certification Briefing Schedule

Motion for Class Certification to be filed by	3/1/07
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Plaintiffs' Reply to be filed by	4/12/07

<u>Status Conference</u>	6/8/07
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IT IS SO ORDERED.

DATED: October 19, 2006


 THE HONORABLE MAXINE M. CHESNEY
 UNITED STATES DISTRICT JUDGE